



E X T R A C T S

F R O M T H E

V O T E S A N D P R O C E E D I N G S

O F T H E

A M E R I C A N C O N T I N E N T A L

C O N G R E S S .





EXTRACTS

FROM THE
VOTES and PROCEEDINGS
Of the AMERICAN CONTINENTAL
CONGRESS,

Held at PHILADELPHIA on the
5th of *September* 1774.

CONTAINING

The BILL of RIGHTS, a List of GRIEVANCES, Occasional Resolves, the *Association*, an *Address* to the PEOPLE of GREAT-BRITAIN, and a *Memorial* to the INHABITANTS of the BRITISH AMERICAN COLONIES.

Published by order of the CONGRESS.

PHILADELPHIA:

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EXTRACTS

FROM THE

VOTES and PROCEEDINGS

OF THE AMERICAN CONSTITUTIONAL

CONGRESS

HELD AT PHILADELPHIA ON THE

21st of September



CONFIDENTIAL

THE BILL OF RIGHTS of Great Britain, Occasional Resolves, and Amendments, introduced to the House of Commons, and a Memorial of the Petitioners of the American Colonies.

Reprinted by order of the Committee

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FRIDAY, *October 14*, 1774.

The CONGRESS came into the following
Resolutions.—

WHEREAS, since the close of the last war, the British parliament claiming a power, of right to bind the people of America, by statute in all cases whatsoever, hath in some acts expressly imposed taxes on them, and in others under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in these colonies, established a board of commissioners with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a county.

AND whereas in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependant on the crown alone for their salaries, and standing armies kept in time of peace. And it has lately been resolved in parliament, that by force of a statute, made in the thirty-fifth year of the reign of King Henry the eighth, colonists may be transported to England and
tried

tried there upon accusations for treasons and misprisions, or concealments of treasons committed in the colonies; and by a late statute, such trials have been directed in cases therein mentioned.

AND whereas in the last session of parliament, three statutes were made; one entitled, "An act to discontinue in such manner, and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares and merchandize, at the town, and within the harbour of Boston, in the province of Massachusetts-Bay, in North-America." Another entitled, "An act for the better regulating the government of the province of the Massachusetts-Bay, in New-England." And another entitled, "An act for the impartial administration of justice, in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults, in the province of the Massachusetts-Bay, in New-England." And another statute was then made, "for making more effectual provision for the government of the province of Quebec, &c." All which statutes are impolitic, unjust, and cruel, as well as unconstitutional, and most dangerous and destructive of American rights.

AND whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances; and their dutiful, humble, loyal,

loyal and reasonable petitions to the crown for redress, have been repeatedly treated with contempt by his Majesty's ministers of state.

THE good people of the several colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence plantations, Connecticut, New-York, New-Jersey, Pennsylvania, New-Castle Kent and Suffex on Delaware, Maryland, Virginia, North-Carolina, and South-Carolina, justly alarmed at these arbitrary proceedings of parliament and administration, have severally elected, constituted, and appointed deputies to meet and sit in general congress in the city of Philadelphia, in order to obtain such establishment, as that their religion, laws, and liberties may not be subverted: Whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration the best means of attaining the ends aforesaid, do in the first place, as Englishmen their ancestors in like cases have usually done, for asserting and vindicating their rights and liberties, **DECLARE,**

THAT the inhabitants of the English colonies in North-America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following RIGHTS.—

Resolved, N. C. D. 1. THAT they are entitled to life, liberty, and property: and they have

have never ceded to any sovereign power whatever, a right to dispose of either without their consent.

Resolved, N. C. D. 2. THAT our ancestors, who first settled these colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural born subjects, within the realm of England.

Resolved, N. C. D. 3. THAT by such emigration they by no means forfeited, surrendered, or lost any of those rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

Resolved, 4. THAT the foundation of English liberty and of all free government, is a right in the people to participate in their legislative council: and as the English colonists are not represented, and from their local and other circumstances cannot properly be represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial Legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed: But from the necessity of the case, and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such
acts

acts of the British parliament, as are bona fide, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members, excluding every idea of taxation internal or external, for raising a revenue on the subjects in America without their consent.

Resolved, N. C. D. 5. THAT the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

Resolved, 6. THAT they are entitled to the benefit of such of the English statutes, as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

Resolved, N. C. D. 7. THAT these, his Majesty's, colonies are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

Resolved, N. C. D. 8. THAT they have a right peaceably to assemble, consider of their grievances, and petition the King; and that all prosecutions, prohibitory proclamations, and commitments for the same, are illegal.

b

Resolved,

Resolved, N. C. D. 9. THAT the keeping a standing army in these colonies, in times of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

Resolved, N. C. D. 10. It is indispenfibly necessary to good government, and rendered effential by the English constitution, that the constituent branches of the legislature be independant of each other ; that, therefore, the exercise of legislative power in several colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous, and destructive to the freedom of American legislation.

ALL and each of which, the aforefaid deputies in behalf of themselves, and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties ; which cannot be legally taken from them, altered or abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

IN the course of our inquiry, we find many infringements and violations of the foregoing rights ; which, from an ardent desire that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such acts and measures as have been adopted since the last war, which demonstrate a system formed to enslave America.

Resolved

Resolved, N. C. D. THAT the following acts of parliament are infringements and violations of the rights of the colonists; and that the repeal of them is essentially necessary, in order to restore harmony between Great-Britain and the American colonies, viz.

THE several acts of 4 Geo. III. ch. 15. and ch. 34.—5 Geo. III. ch. 25.—6 Geo. III. ch. 52.—7 Geo. III. ch. 41. and ch. 46.—8 Geo. III. ch. 22. which impose duties for the purpose of raising a revenue in America, extend the powers of the admiralty courts beyond their ancient limits, deprive the American subject of trial by jury, authorise the judges certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subversive of American rights.

ALSO 12 Geo. III. ch. 24. intituled, “ An act for the better securing his Majesty’s dock-yards, magazines, ships, ammunition and stores.” Which declares a new offence in America, and deprives the American subject of a constitutional trial by jury of the vicinage, by authorising the trial of any person charged with the committing any offence described in the said act out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also

Also the three acts passed in the last session of parliament, for stopping the port and blocking up the harbour of Boston, for altering the charter and government of Massachusetts-Bay, and that which is intituled, "An act for the better administration of justice," &c.

Also the act passed in the same session for establishing the Roman catholic religion in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there, to the great danger, from so total a dissimilarity of religion, law, and government to the neighbouring British colonies, by the assistance of whose blood and treasure the said country was conquered from France.

Also the act passed in the same session for the better providing suitable quarters for officers and soldiers in his Majesty's service in North-America.

Also, that the keeping a standing army in several of these colonies, in time of peace, without the consent of the legislature of that colony in which such army is kept, is against law.

The CONGRESS, from time to time, passed the following Resolves :

Resolved, THAT this Congress do approve of the opposition made by the inhabitants of the Massachusetts-Bay, to the execution of the late acts of Parliament; and if the same shall

shall be attempted to be carried into execution by force, in such case, all America ought to support them in their opposition.

Resolved, THAT it is the opinion of this body, that the removal of the people of Boston into the country, would be, not only extremely difficult in the execution, but so important in its consequences, as to require the utmost deliberation before it is adopted. But in case the provincial meeting of that colony shall judge it *absolutely* necessary, it is the opinion of this Congress, that all America ought to contribute towards recompensing them for the injury they may thereby sustain; and it will be recommended accordingly.

Resolved, THAT this Congress do recommend to the inhabitants of the colony of the Massachusetts-Bay, to submit to a suspension of the administration of justice, where it cannot be procured in a legal and peaceable manner, under the rules of the charter and the laws founded thereon, until the effects of our application for a repeal of the acts, by which their charter rights are infringed, is known.

Resolved unanimously, THAT every person or persons whomsoever, who shall take, accept, or act under any commission or authority, in anywise derived from the act passed in the last session of parliament, changing the form of government and violating the charter of the province of the Massachusetts-Bay, ought to be held in detestation and abhorrence by all good men, and considered as the wicked tools
of

of that despotism, which is preparing to destroy those rights, which God, nature and compact have given to America.

Resolved unanimously, THAT the people of Boston and the Massachusetts-Bay, be advised still to conduct themselves peaceably towards his excellency General Gage, and his Majesty's troops now stationed in the town of Boston, as far as can possibly consist with their immediate safety and the security of the town; avoiding and discountenancing every violation of his Majesty's property, or any insult to his troops; and that they peaceably and firmly persevere in the line in which they are now conducting themselves on the defensive.

Resolved, THAT the seizing, or attempting to seize, any person in America, in order to transport such person beyond the sea, for trial of offences committed within the body of a county in America, being against law, will justify and ought to meet with resistance and reprisal.

SATURDAY, *October 22.*

Resolved, As the opinion of the congress, that it will be necessary that a congress should be held on the 10th day of May next, unless the redress of grievances, which we have desired, be obtained before that time.—And we recommend that the same be held at the city of Philadelphia, and that all the colonies in North-America chuse deputies as soon as possible, to attend such Congress.

TUESDAY,

TUESDAY, *October 25.*

Resolved, THAT the congress in their own names, and in behalf of all those whom they represent, do present their most grateful acknowledgments to those truly noble, honorable, and patriotic advocates of civil and religious liberty; who have so generously and powerfully, tho' unsuccessfully, espoused and defended the cause of America, both in and out of parliament.

A Copy of the letter to General Gage was brought into Congress, and agreeable to order, signed by the President, and is as follows :

Philadelphia, October 10, 1774.

SIR,

THE inhabitants of the town of Boston have informed us, the representatives of his Majesty's faithful subjects, in all the colonies from Nova-Scotia to Georgia, that the fortifications erecting within that town, the frequent invasions of private property and the repeated insults they receive from the soldiery, have given them great reason to suspect a plan is formed very destructive to them and tending to overthrow the liberties of America.

YOUR Excellency cannot be a stranger to the sentiments of America, with respect to the late acts of Parliament, under the execution of which those unhappy people are oppressed; the approbation universally expressed of their conduct and the determined resolution of the colonies, for the preservation of their common rights, to
unite

unite in their opposition to those acts:---In consequence of these sentiments, they have appointed us the guardians of their rights and liberties, and we are under the deepest concern, that whilst we are pursuing every dutiful and peaceable measure to procure a cordial and effectual reconciliation between Great-Britain and the colonies, your Excellency should proceed in a manner that bears so hostile an appearance, and which even those oppressive acts do not warrant.

WE entreat your Excellency to consider, what a tendency this conduct must have, to irritate and force a people, however well disposed to peaceable measures, into hostilities, which may prevent the endeavours of this Congress to restore a good understanding with an parent state, and may involve us in the horrors of a civil war.

IN order therefore to quiet the minds, and remove the reasonable jealousies of the people, that they may not be driven to a state of desperation, being fully persuaded of their pacific disposition towards the King's troops, could they be assured of their own safety, we hope, Sir, you will discontinue the fortifications in and about Boston, prevent any further invasions of private property, restrain the irregularities of the soldiers, and give orders that the communications between the town and country may be open, unmolested, and free.

Signed by order and in behalf of the General Congress.

PEYTON RANDOLPH, President.



THE ASSOCIATION, &c.

WE, his Majesty's most loyal subjects, the
Delegates of the several Colonies of
New-Hampshire, Massachusetts-Bay, Rhode-
Island, Connecticut, New-York, New-Jersey,
Pennsylvania, the Three Lower Counties of
Newcastle, Kent, and Suffex, on Delaware,
Maryland, Virginia, North-Carolina, and South-
Carolina, deputed to represent them in a conti-
nental Congress held in the city of Philadel-
phia, on the fifth day of September, 1774,
avowing our allegiance to his Majesty, our af-
fection and regard for our fellow-subjects in
Great-Britain and elsewhere, affected with the
deepest anxiety, and most alarming apprehen-
sions at those grievances and distresses, with
which his Majesty's American subjects are op-
pressed, and having taken under our most seri-
ous deliberation, the state of the whole conti-
nent, find, that the present unhappy situation of
our affairs is occasioned by a ruinous system of
colony administration adopted by the British Mi-
nistry

nistry about the year 1763, evidently calculated for enslaving these Colonies, and, with them, the British Empire. In prosecution of which system, various Acts of Parliament have been passed for raising a Revenue in America, for depriving the American subjects, in many instances, of the constitutional trial by jury, exposing their lives to danger, by directing a new and illegal trial beyond the seas, for crimes alleged to have been committed in America : And in prosecution of the same system, several late, cruel, and oppressive Acts have been passed respecting the town of Boston and the Massachusetts-Bay, and also an Act for extending the province of Quebec, so as to border on the western frontiers of these Colonies, establishing an arbitrary government therein, and discouraging the settlement of British subjects in that wide extended country ; thus by the influence of civil principles and ancient prejudices to dispose the inhabitants to act with hostility against the free Protestant Colonies, whenever a wicked Ministry shall chuse so to direct them.

To obtain redress of these grievances, which threaten destruction to the lives, liberty, and property of his Majesty's subjects in North-America, we are of opinion, that a non-importation, non-consumption, and non-exportation agreement, faithfully adhered to, will prove the most speedy, effectual, and peaceable measure : And therefore we do, for ourselves and the inhabitants of the several Colonies, whom we represent, firmly agree and associate under the sacred ties
of

of virtue, honor and love of our country, as follows.

First. THAT from and after the first day of December next, we will not import into British America, from Great-Britain or Ireland, any goods, wares or merchandize whatsoever, or from any other place any such goods, wares or merchandize, as shall have been exported from Great-Britain or Ireland; nor will we, after that day, import any East-India tea from any part of the world; nor any molasses, fyrrups, paneles, coffee or piemento, from the British plantations, or from Dominica; nor wines from Madeira, or the Western Islands; nor foreign indigo.

Second. WE will neither import, nor purchase any slave imported after the first day of December next; after which time, we will wholly discontinue the slave trade, and will neither be concerned in it ourselves, nor will we hire our vessels, nor sell our commodities or manufactures to those who are concerned in it.

Third. As a non-consumption agreement, strictly adhered to, will be an effectual security for the observation of the non-importation, we, as above, solemnly agree and associate, that, from this day, we will not purchase or use any Tea imported on account of the East-India company, or any on which a duty hath been or shall be paid; and from and after the first day of March next, we will not purchase or use any East-India tea whatever; nor will we, nor shall any person for

or under us, purchase or use any of those goods, wares or merchandize, we have agreed not to import, which we shall know, or have cause to suspect, were imported after the first day of December, except such as come under the rules and directions of the tenth article hereafter mentioned.

Fourth. THE earnest desire we have not to injure our fellow-subjects in Great-Britain, Ireland or the West-Indies, induces us to suspend a non-exportation, until the tenth day of September 1775; at which time, if the said Acts and part of Acts of the British parliament herein after mentioned are not repealed, we will not, directly or indirectly, export any merchandize or commodity whatsoever to Great-Britain, Ireland or the West-Indies, except rice to Europe,

Fifth. SUCH as are merchants, and use the British and Irish trade, will give orders, as soon as possible, to their factors, agents and correspondents, in Great-Britain and Ireland, not to ship any goods to them, on any pretence whatsoever, as they cannot be received in America; and if any merchant, residing in Great-Britain or Ireland, shall directly or indirectly ship any goods, wares or merchandize, for America, in order to break the said non-importation agreement, or in any manner contravene the same on such unworthy conduct being well attested, it ought to be made public; and, on the same being so done, we will not from thenceforth have

have any commercial connexion, with such merchant.

Sixth. THAT such as are owners of vessels will give positive orders to their captains, or masters, not to receive on board their vessels any goods prohibited by the said non-importation agreement, on pain of immediate dismissal from their service.

Seventh. WE will use our utmost endeavours to improve the breed of sheep and increase their number to the greatest extent, and to that end, we will kill them as sparingly as may be, especially those of the most profitable kind; nor will we export any to the West-Indies or elsewhere; and those of us who are or may become overstocked with, or can conveniently spare any sheep, will dispose of them to our neighbours, especially to the poorer sort, on moderate terms.

Eighth. We will in our several stations encourage frugality, œconomy, and industry; and promote agriculture, arts, and the manufactures of this country, especially that of wool; and will discountenance and discourage every species of extravagance and dissipation, especially all horse racing, and all kinds of gaming, cock fighting, exhibitions of shews, plays, and other expensive diversions and entertainments. And on the death of any relation or friend, none of us, or any of our families will go into any further mourning dress than a black crape or ribbon on the arm or hat for

for Gentlemen, and a black ribbon and necklace for Ladies, and we will discontinue the giving of gloves and scarfs at funerals.

Ninth. SUCH as are venders of goods or merchandize will not take advantage of the scarcity of goods that may be occasioned by this association, but will sell the same at the rates we have been respectively accustomed to do, for twelve months last past.—And if any vender of goods or merchandize shall sell any such goods on higher terms, or shall in any manner, or by any device whatsoever, violate or depart from this Agreement, no person ought, nor will any of us deal with any such person, or his, or her factor or agent, at any time thereafter, for any commodity whatever.

Tenth. IN case any merchant, trader, or other persons shall import any goods or merchandize after the first day of December, and before the first day of February next, the same ought forthwith, at the election of the owner, to be either reshipped or delivered up to the Committee of the county, or town wherein they shall be imported, to be stored at the risque of the importer, until the non-importation Agreement shall cease, or be sold under the direction of the Committee aforesaid; and in the last mentioned case, the owner or owners of such goods shall be reimbursed (out of the sales) the first cost and charges, the profit, if any, to be applied towards relieving and employing such poor inhabitants of the town of Boston, as
are

are immediate sufferers by the Boston Port-Bill; and a particular account of all goods so returned, stored, or sold, to be inserted in the public papers; and if any goods or merchandizes shall be imported after the said first day of February, the same ought forthwith to be sent back again, without breaking any of the packages thereof.

Eleventh. THAT a Committee be chosen in every county, city, and town, by those who are qualified to vote for Representatives in the Legislature, whose business it shall be attentively to observe the conduct of all persons touching this association; and when it shall be made to appear to the satisfaction of a majority of any such Committee, that any person within the limits of their appointment has violated this association, that such majority do forthwith cause the truth of the case to be published in the Gazette, to the end, that all such foes to the rights of British America may be publicly known, and universally contemned as the enemies of American liberty; and thenceforth we respectively will break off all dealings with him or her.

Twelfth. THAT the Committee of Correspondence in the respective Colonies do frequently inspect the entries of their Custom-Houses, and inform each other from time to time of the true state thereof, and of every other material circumstance that may occur relative to this association.

Thirteenth.

Thirteenth. THAT all manufactures of this country be sold at reasonable prices, so that no undue advantage be taken of a future scarcity of goods.

Fourteenth. AND we do further agree and resolve, that we will have no trade, commerce, dealings or intercourse whatsoever, with any colony or province, in North America, which shall not accede to, or which shall hereafter violate this association, but will hold them as unworthy of the rights of freemen, and as inimical to the liberties of their country.

And we do solemnly bind ourselves and our constituents, under the ties aforesaid, to adhere to this Association until such parts of the several Acts of Parliament passed since the close of the last war, as impose or continue duties on tea, wine, molasses, syrups, paneles, coffee, sugar, pimento, indigo, foreign paper, glass, and painters colours, imported into America, and extend the powers of the Admiralty courts beyond their ancient limits, deprive the American subject of trial by jury, authorise the Judge's certificate to indemnify the prosecutor from damages, that he might otherwise be liable to from a trial by his peers, require oppressive security from a claimant of ships or goods seized, before he shall be allowed to defend his property, are repealed—And until that part of the Act of the 12. G. 3. ch. 24. entitled, “An Act for the better securing his Majesty's dock yards, magazines, ships, ammunition, and stores,” by which,

which, any persons charged with committing any of the offences therein described, in America, may be tried in any shire or county within the realm, is repealed---And until the four Acts passed in the last session of Parliament, viz. that for stopping the port and blocking up the harbour of Boston --- That for altering the charter and government of the Massachusetts-Bay --- And that which is entitled, "An Act for the better administration of justice, &c."----- And that "For extending the limits of Québec, &c." are repealed. And we recommend it to the provincial conventions, and to the committees in the respective Colonies, to establish such farther regulations as they may think proper, for carrying into execution this Association.

THE foregoing Association being determined upon by the CONGRESS, was ordered to be subscribed by the several Members thereof; and thereupon we have hereunto set our respective names accordingly.

In Congress, Philadelphia, October 24.

Signed,

PEYTON RANDOLPH, *President.*

New Hampshire. { JOHN SULLIVAN,
NATHANIEL FOLSOM.

Massachusetts-Bay. { THOMAS CUSHING,
SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE.

Rhode-Island,

Rhode-Island. { STEPHEN HOPKINS,
SAMUEL WARD.

Connecticut. { ELIPHALET DYER,
ROGER SHERMAN,
SILAS DEANE.

New-York. { ISAAC LOW,
JOHN ALSOP,
JOHN JAY,
JAMES DUANE,
WILLIAM FLOYD,
HENRY WISNER,
S. BOERUM.

New-Jersey. { JAMES KINSEY,
WILLIAM LIVINGSTON,
STEPHEN CRANE,
RICHARD SMITH.

Pennsylvania. { JOSEPH GALLOWAY,
JOHN DICKINSON,
CHARLES HUMPHREYS,
THOMAS MIFFLIN,
EDWARD BIDDLE,
JOHN MORTON,
GEORGE ROSS.

New-Castle, &c. { CÆSAR RODNEY,
THOMAS M'KEAN,
GEORGE READ.

Maryland. { MATTHEW TILGHMAN,
THOMAS JOHNSON,
WILLIAM PACA,
SAMUEL CHASE.

Virginia.

Virginia. { RICHARD HENRY LEE,
GEORGE WASHINGTON,
P. HENRY, Jun.
RICHARD BLAND,
BENJAMIN HARRISON,
EDMUND PENDLETON.

North-Carolina. { WILLIAM HOOPER,
JOSEPH HEWES,
R. CASWELL.

South-Carolina. { HENRY MIDDLETON,
THOMAS LYNCH,
CHRISTOPHER GADSDEN,
JOHN RUTLEDGE,
EDWARD RUTLEDGE.

- | | |
|-----------------|--|
| Virginia. | {
RICHARD HENRY LEE,
GEORGE WASHINGTON,
P. HENRY, Jnr.
RICHARD BLAND,
BENJAMIN HARRISON,
EDMUND PENDLETON. |
| North-Carolina. | {
WILLIAM HOOPER,
JOSEPH HEWES,
R. CASWELL. |
| South-Carolina. | {
HENRY MIDDLETON,
THOMAS LYNCH,
CHRISTOPHER GARDNER,
JOHN RUTLEDGE,
EDWARD RUTLEDGE. |

TO THE
PEOPLE OF *GREAT-BRITAIN*,
FROM THE
D E L E G A T E S,
Appointed by the several ENGLISH CO-
LONIES OF NEW-HAMPSHIRE, MASSA-
CHUSETT'S-BAY, RHODE-ISLAND and
PROVIDENCE PLANTATIONS, CONNEC-
TICUT, NEW-YORK, NEW-JERSEY,
PENNSYLVANIA, The LOWER COUN-
TIES ON DELAWARE, MARYLAND,
VIRGINIA; NORTH-CAROLINA, and
SOUTH-CAROLINA, to consider of
their Grievances in GENERAL CON-
GRESS, at PHILADELPHIA, Septem-
ber 5th, 1774.

Friends, and Fellow-Subjects;

WHEN a Nation, led to greatness by the hand of Liberty, and possessed of all the glory that heroism, munificence, and humanity can bestow, descends to the ungrateful task of forging chains for her Friends and Children, and instead of giving support to Freedom, turns advocate for Slavery and Oppression, there is reason to suspect she has either ceased to be virtuous, or been extremely negligent in the appointment of her rulers.

A

IN

In almost every age, in repeated conflicts, in long and bloody wars, as well civil as foreign, against many and powerful nations, against the open assaults of enemies and the more dangerous treachery of friends, have the inhabitants of your island, your great and glorious ancestors, maintained their independence and transmitted the rights of men and the blessings of liberty to you their posterity.

BE not surprized therefore, that we, who are descended from the same common ancestors; that we, whose forefathers participated in all the rights, the liberties and the constitution, you so justly boast, and who have carefully conveyed the same fair inheritance to us, guaranteed by the plighted faith of government and the most solemn compacts with British Sovereigns, should refuse to surrender them to men, who found their claims on no principles of reason, and who prosecute them with a design, that by having our lives and property in their power, they may with the greater facility enslave you.

THE cause of America is now the object of universal attention: it has at length become very serious. This unhappy country has not only been oppressed, but abused and misrepresented; and the duty we owe to ourselves and posterity, to your interest, and the general welfare of the British empire, leads us to address you on this very important subject.

Know then, THAT we consider ourselves, and do insist, that we are and ought to be, as free as
our

our fellow subjects in Britain, and that no power on earth has a right to take our property from us without our consent.

THAT we claim all the benefits secured to the subject by the English constitution, and particularly that inestimable one of trial by jury.

THAT we hold it essential to English Liberty, that no man be condemned unheard, or punished for supposed offences, without having an opportunity of making his defence.

THAT we think the Legislature of Great-Britain is not authorized by the condition to establish a religion fraught with sanguinary and impious tenets, or, to erect an arbitrary form of government in any quarter of the globe. These rights, we, as well as you, deem sacred. And yet sacred as they are, they have, with many others, been repeatedly and flagrantly violated.

ARE not the Proprietors of the soil of Great-Britain Lords of their own property? can it be taken from them without their consent? will they yield it to the arbitrary disposal of any man, or number of men whatever?---You know they will not.

WHY then are the Proprietors of the soil of America less Lords of their property than you are of yours, or why should they submit it to the disposal of your Parliament, or any other Parliament, or Council in the world, not of

their election? Can the intervention of the sea that divides us, cause disparity in rights, or can any reason be given, why English subjects, who live three thousand miles from the royal palace, should enjoy less liberty than those who are three hundred miles distant from it?

REASON looks with indignation on such distinctions, and freemen can never perceive their propriety. And yet, however chimerical and unjust such discriminations are, the Parliament assert, that they have a right to bind us in all cases without exception, whether we consent or not; that they may take and use our property when and in what manner they please; that we are pensioners on their bounty for all that we possess, and can hold it no longer than they vouchsafe to permit. Such declarations we consider as heresies in English politics, and which can no more operate to deprive us of our property, than the interdicts of the Pope can divest Kings of sceptres which the laws of the land and the voice of the people have placed in their hands.

At the conclusion of the late war---a war rendered glorious by the abilities and integrity of a Minister, to whose efforts the British empire owes its safety and its fame: At the conclusion of this war, which was succeeded by an inglorious peace, formed under the auspices of a Minister of principles, and of a family unfriendly to the protestant cause, and inimical to liberty.-- We say at this period, and under the influence of that man, a plan for enslaving your fellow

fellow subjects in America was concerted, and has ever since been pertinaciously carrying into execution.

PRIOR to this æra you were content with drawing from us the wealth produced by our commerce. You restrained our trade in every way that could conduce to your emolument. You exercised unbounded sovereignty over the sea. You named the ports and nations to which alone our merchandize should be carried, and with whom alone we should trade; and though some of these restrictions were grievous, we nevertheless did not complain; we looked up to you as to our parent state to which we were bound by the strongest ties: And were happy in being instrumental to your prosperity and your grandeur.

WE call upon you yourselves, to witness our loyalty and attachment to the common interest of the whole empire: Did we not, in the last war, add all the strength of this vast continent to the force which repelled our common enemy? Did we not leave our native shores, and meet disease and death, to promote the success of British arms in foreign climates? Did you not thank us for our zeal, and even reimburse us large sums of money, which, you confessed, we had advanced beyond our proportion and far beyond our abilities? You did.

To what causes, then, are we to attribute the sudden change of treatment, and that system of slavery which was prepared for us at the restoration of peace.

BEFORE

BEFORE we had recovered from the distresses which ever attend war, an attempt was made to drain this country of all its money, by the oppressive Stamp-Act. Paint, Glafs, and other commodities, which you would not permit us to purchase of other nations, were taxed ; nay, although no wine is made in any country, subject to the British state, you prohibited our procuring it of foreigners, without paying a tax, imposed by your parliament, on all we imported. These and many other impositions were laid upon us most unjustly and unconstitutionally, for the exprefs purpose of raising a revenue.--- In order to silence complaint, it was, indeed, provided, that this revenue should be expended in America for its protection and defence.--- These exactions, however, can receive no justification from a pretended necessity of protecting and defending us. They are lavishly squandered on court favourites and ministerial dependents, generally avowed enemies to America and employing themselves, by partial representations, to traduce and embroil the Colonies. For the necessary support of government here, we ever were and ever shall be ready to provide. And whenever the exigencies of the state may require it, we shall, as we have heretofore done, cheerfully contribute our full proportion of men and money. To enforce this unconstitutional and unjust scheme of taxation, every fence that the wisdom of our British ancestors had carefully erected against arbitrary power, has been violently thrown down in America, and the inestimable right of trial by jury taken away in cases that touch both life and property.---It was ordained
that

that whenever offences should be committed in the Colonies against particular Acts imposing various duties and restrictions upon trade, the prosecutor might bring his action for the penalties in the Courts of Admiralty; by which means the subject lost the advantage of being tried by an honest uninfluenced jury of the vicinage, and was subjected to the sad necessity of being judged by a single man, a creature of the Crown, and according to the course of a law which exempts the prosecutor from the trouble of proving his accusation, and obliges the defendant either to evince his innocence or to suffer. To give this new judicatory the greater importance, and as, if with design to protect false accusers, it is further provided, that the Judge's certificate of there having been probable causes of seizure and prosecution, shall protect the prosecutor from actions at common law for recovery of damages.

By the course of our law, offences committed in such of the British dominions in which courts are established and justice duely and regularly administred, shall be there tried by a jury of the vicinage. There the offenders and the witnesses are known, and the degree of credibility to be given to their testimony, can be ascertained.

In all these Colonies, justice is regularly and impartially administered, and yet by the construction of some, and the direction of other Acts of Parliament, offenders are to be taken by force, together with all such persons as may be pointed out as witnesses, and carried to England, there

there to be tried in a distant land, by a *jury* of strangers, and subject to all the disadvantages that result from want of friends, want of witnesses, and want of money.

WHEN the design of raising a revenue from the duties imposed on the importation of tea into America had in great measure been rendered abortive by our ceasing to import that commodity, a scheme was concerted by the Ministry with the East India Company, and an Act passed enabling and encouraging them to transport and vend it in the Colonies. Aware of the danger of giving success to this insidious manœuvre, and of permitting a precedent of taxation thus to be established among us, various methods were adopted to elude the stroke. The people of Boston, then ruled by a Governor, whom, as well as his predecessor Sir Francis Bernard, all America considers as her enemy, were exceedingly embarrassed. The ships which had arrived with the tea were by his management prevented from returning.---The duties would have been paid; the cargoes landed and exposed to sale; a Governor's influence would have procured and protected many purchasers. While the town was suspended by deliberations on this important subject, the tea was destroyed. Even supposing a trespass was thereby committed, and the Proprietors of the tea entitled to damages.---The Courts of Law were open, and Judges appointed by the Crown presided in them.---The East India Company however did not think proper to commence any suits, nor did they even demand satisfaction

tistaction either from individuals or from the community in general. The Ministry, it seems, officiously made the case their own, and the great Council of the nation descended to intermeddle with a dispute about private property.--- Divers papers, letters, and other unauthenticated *ex parte* evidence were laid before them; neither the persons who destroyed the Tea, or the people of Boston, were called upon to answer the complaint. The Ministry, incensed by being disappointed in a favourite scheme, were determined to recur from the little arts of finesse, to open force and unmanly violence. The port of Boston was blocked up by a fleet, and an army placed in the town. Their trade was to be suspended, and thousands reduced to the necessity of gaining subsistence from charity, till they should submit to pass under the yoke, and consent to become slaves, by confessing the omnipotence of Parliament, and acquiescing in whatever disposition they might think proper to make of their lives and property.

LET justice and humanity cease to be the boast of your nation! consult your history, examine your records of former transactions, nay turn to the annals of the many arbitrary states and kingdoms that surround you, and shew us a single instance of men being condemned to suffer for imputed crimes, unheard, unquestioned, and without even the specious formality of a trial; and that too by laws made expressly for the purpose, and which had no existence at the time of the fact committed. If it be difficult to reconcile these proceedings to the ge-

nus and temper of your laws and constitution, the task will become more arduous when we call upon our ministerial enemies to justify, not only condemning men untried and by hearsay, but involving the innocent in one common punishment with the guilty, and for the act of thirty or forty, to bring poverty, distress and calamity on thirty thousand souls, and those not your enemies, but your friends, brethren, and fellow subjects.

It would be some consolation to us, if the catalogue of American oppressions ended here. It gives us pain to be reduced to the necessity of reminding you, that under the confidence reposed in the faith of government, pledged in a royal charter from a British Sovereign, the forefathers of the present inhabitants of the Massachusetts-Bay left their former habitations, and established that great, flourishing, and loyal Colony. Without incurring or being charged with a forfeiture of their rights, without being heard, without being tried, without law, and without justice, by an Act of Parliament, their charter is destroyed, their liberties violated, their constitution and form of government changed: And all this upon no better pretence, than because in one of their towns a trespass was committed on some merchandize, said to belong to one of the Companies, and because the Ministry were of opinion, that such high political regulations were necessary to compel due subordination and obedience to their mandates.

NOR

NOR are these the only capital grievances under which we labor. We might tell of dissolute, weak and wicked Governors having been set over us; of Legislatures being suspended for asserting the rights of British subjects---of needy and ignorant dependents on great men, advanced to the seats of justice and to other places of trust and importance;---of hard restrictions on commerce, and a great variety of lesser evils, the recollection of which is almost lost under the weight and pressure of greater and more poignant calamities.

Now mark the progression of the ministerial plan for enslaving us.

WE are aware that such hardy attempts to take our property from us; to deprive us of that valuable right of trial by jury; to seize our persons, and carry us for trial to Great-Britain; to blockade our ports; to destroy our Charters, and change our forms of government, would occasion, and had already occasioned, great discontent in all the Colonies, which might produce opposition to these measures: An Act was passed to protect, indemnify, and screen from punishment such as might be guilty even of murder, in endeavouring to carry their oppressive edicts into execution; And by another Act the dominion of Canada is to be so extended, modelled, and governed, as that by being dis-united from us, detached from our interests, by civil as well as religious prejudices, that by their numbers daily swelling with Catholic emigrants from Europe, and by their devotion to Adminis-

Administration, so friendly to their religion, they might become formidable to us, and on occasion, be fit instruments in the hands of power, to reduce the ancient free Protestant Colonies to the same state of slavery with themselves.

THIS was evidently the object of the Act :--- And in this view, being extremely dangerous to our liberty and quiet, we cannot forbear complaining of it, as hostile to British America.--- Superadded to these considerations, we cannot help deploring the unhappy condition to which it has reduced the many English settlers, who, encouraged by the Royal Proclamation, promising the enjoyment of all their rights, have purchased estates in that country.--- They are now the subjects of an arbitrary government, deprived of trial by jury, and when imprisoned cannot claim the benefit of the habeas corpus Act, that great bulwark and palladium of English liberty :--- Nor can we suppress our astonishment, that a British Parliament should ever consent to establish in that country a religion that has deluged your island in blood, and dispersed impiety, bigotry, persecution, murder and rebellion through every part of the world.

THIS being a true state of facts, let us beseech you to consider to what end they lead.

ADMIT that the Ministry, by the powers of Britain, and the aid of our Roman Catholic neighbours, should be able to carry the point of taxation, and reduce us to a state of perfect humiliation

miliation and slavery. Such an enterprize would doubtless make some addition to your national debt, which already presses down your liberties, and fills you with Pensioners and Placemen --- We presume, also, that your commerce will somewhat be diminished. However, suppose you should prove victorious---in what condition will you then be? What advantages or what laurels will you reap from such a conquest?

MAY not a Ministry with the same armies enslave you---it may be said, you will cease to pay them---but remember the taxes from America, the wealth, and we may add, the men, and particularly the Roman Catholics of this vast continent will then be in the power of your enemies---nor will you have any reason to expect, that after making slaves of us, many among us should refuse to assist in reducing you to the same abject state.

Do not treat this as chimerical---Know that in less than half a century, the quit-rents reserved to the Crown, from the numberless grants of this vast continent, will pour large streams of wealth into the royal coffers, and if to this be added the power of taxing America at pleasure, the Crown will be rendered independent on you for supplies, and will possess more treasure than may be necessary to purchase the *remains* of Liberty in your Island. — In a word, take care that you do not fall into the pit that is preparing for us.

WE

WE believe there is yet much virtue, much justice, and much public spirit in the English nation---To that justice we now appeal. You have been told that we are seditious, impatient of government and desirous of independency. Be assured that these are not facts, but calumnies---Permit us to be as free as yourselves, and we shall ever esteem a union with you to be our greatest glory and our greatest happiness, we shall ever be ready to contribute all in our power to the welfare of the Empire---we shall consider your enemies as our enemies, and your interest as our own.

BUT if you are determined that your Ministers shall wantonly sport with the rights of Mankind---If neither the voice of justice, the dictates of the law, the principles of the constitution, or the suggestions of humanity can restrain your hands from shedding human blood in such an impious cause, we must then tell you, that we never will submit to be hewers of wood or drawers of water for any ministry or nation in the world.

PLACE us in the same situation that we were at the close of the last war, and our former harmony will be restored.

BUT lest the same supineness and the same inattention to our common interest, which you have for several years shewn, should continue, we think it prudent to anticipate the consequences.

By

By the destruction of the trade of Boston, the Ministry have endeavoured to induce submission to their measures.---The like fate may befall us all, we will endeavour therefore to live without trade, and recur for subsistence to the fertility and bounty of our native soil, which will afford us all the necessaries and some of the conveniences of life.---We have suspended our importation from Great-Britain and Ireland; and in less than a year's time, unless our grievances should be redressed, shall discontinue our exports to those kingdoms and the West-Indies.

It is with the utmost regret however, that we find ourselves compelled by the overruling principles of self-preservation, to adopt measures detrimental in their consequences to numbers of our fellow subjects in Great-Britain and Ireland. But we hope, that the magnanimity and justice of the British Nation will furnish a Parliament of such wisdom, independance and public spirit, as may save the violated rights of the whole empire from the devices of wicked Ministers and evil Counsellors whether in or out of office, and thereby restore that harmony, friendship and fraternal affection between all the Inhabitants of his Majesty's kingdoms and territories, so ardently wished for by every true and honest American.

The CONGRESS then resumed the consideration of the memorial to the inhabitants of the British colonies, and the same being debated by paragraphs and amended, was approved, and is as follows----



[31]

T O T H E
INHABITANTS OF THE COLONIES

Of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations; Connecticut, New-York, New-Jersey, Pennsylvania, the Counties of New-Castle, Kent and Sussex on Delaware; Maryland, Virginia, North Carolina and South Carolina.

FRIENDS and COUNTRYMEN,

WE, the Delegates appointed by the good people of the above Colonies to meet at Philadelphia in September last, for the purposes mentioned by our respective Constituents, have in pursuance of the trust reposed in us, assembled, and taken into our most serious consideration the important matters recommended to the Congress. Our resolutions thereupon will be herewith communicated to you. But as the situation of public affairs grows daily more and more alarming; and as it may be more satisfactory to you to be informed by us in a collective body, than in any other manner, of those sentiments that have been approved, upon a full and
free

free discussion by the Representatives of so great a part of America, we esteem ourselves obliged to add this Address to these Resolutions.

IN every case of opposition by a people to their rulers, or of one state to another, duty to Almighty God, the creator of all, requires that a true and impartial judgment be formed of the measures leading to such opposition; and of the causes by which it has been provoked, or can in any degree be justified: That neither affection on the one hand, nor resentment on the other, being permitted to give a wrong bias to reason, it may be enabled to take a dispassionate view of all the circumstances, and settle the public conduct on the solid foundations of wisdom and justice.

FROM Councils thus tempered arise the surest hopes of the divine favour, the firmest encouragement to the parties engaged and the strongest recommendation of their cause to the rest of mankind.

WITH minds deeply impressed by a sense of these truths, we have diligently, deliberately and calmly enquired into and considered those exertions, both of the legislative and executive power of Great-Britain, which have excited so much uneasiness in America, and have with equal fidelity and attention considered the conduct of the Colonies. Upon the whole, we find ourselves reduced to the disagreeable alternative, of being silent and betraying the innocent, or of speaking out and censuring those we

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with

wish to reverse.---In making our choice of these distressing difficulties, we prefer the course dictated by honesty, and a regard for the welfare of our country.

Soon after the conclusion of the late war, there commenced a memorable change in the treatment of these Colonies. By a statute made in the fourth year of the present reign, a time of profound peace, alledging "the expediency of new provisions and regulations for extending the commerce between Great-Britain and his Majesty's dominions in America, and the necessity of raising a Revenue in the said dominions for defraying the expences of defending, protecting and securing the same," the Commons of Great-Britain undertook to give and grant to his Majesty many rates and duties, to be paid in these Colonies. To enforce the observance of this Act, it prescribes a great number of severe penalties and forfeitures; and in two sections makes a remarkable distinction between the subjects in Great-Britain and those in America. By the one, the penalties and forfeitures incurred *there* are to be recovered in any of the King's Courts of Record at Westminster, or in the Court of Exchequer in Scotland; and by the other, the penalties and forfeitures incurred *here* are to be recovered in any Court of Record, or in any Court of Admiralty or Vice-Admiralty, at the election of the informer or prosecutor.

THE Inhabitants of these Colonies confiding in the justice of Great-Britain, were scarcely allowed

allowed *sufficient* time to receive and consider this Act, before another, well known by the name of the *Stamp Act*, and passed in the fifth year of this reign, engrossed their whole attention. By this statute the British Parliament exercised in the most explicit manner a power of *taxing* us, and extending the jurisdiction of Courts of *Admiralty* and *Vice-Admiralty* in the Colonies, to matters arising within the body of a county, directed the numerous penalties and forfeitures, thereby inflicted, to be recovered in the said Courts.

In the same year a tax was imposed upon us, by an Act, establishing several new fees in the customs. In the next year, the Stamp Act was repealed; not because it was founded in an erroneous principle, but, as the repealing Act recites, because "the continuance thereof would be attended with many inconveniencies, and might be productive of consequences greatly detrimental to the commercial interest of Great-Britain."

In the same year, and by a subsequent Act, it was declared, "that his Majesty in Parliament, of right, had power to bind the people of these Colonies by Statutes IN ALL CASES WHATSOEVER."

In the same year, another Act was passed, for imposing rates and duties payable in these Colonies. In this Statute the Commons avoiding the terms of *giving* and *granting* "humbly besought his Majesty that it might be enacted &c."

&c." But from a declaration in the preamble, that the rates and duties were "in lieu of" several others granted by the Statute first before mentioned *for raising a revenue* and from some other expressions it appears, that these duties were intended *for that purpose*.

IN the next year. (1767,) an Act was made "to enable his Majesty to put the customs and *other duties* in America under the management of Commissioners &c." and the King thereupon erected the present expensive Board of Commissioners, for the express purpose of carrying into execution the several Acts relating to the *revenue* and trade in *America*.

AFTER the repeal of the Stamp-Act, having again resigned ourselves to our antient unsuspecting affections for the parent state, and anxious to avoid any controversy with her, in hopes of a favourable alteration in sentiments and measures towards us, we did not press our objections against the above mentioned Statutes made subsequent to that repeal.

ADMINISTRATION attributing to trifling causes, a conduct that really proceeded from generous motives, were encouraged in the same year (1767) to make a bolder experiment on the patience of America.

By a Statute commonly called the *Glass, Paper and Tea Act*, made fifteen months after the repeal of the *Stamp-Act*, the Commons of Great-Britain resumed their former language,
and

and again undertook to “ *give and grant rates and duties to be paid in these Colonies,*” for the exprefs purpose of “ *raising a revenue, to defray the charges of the administration of justice, the support of civil government, and defending the Kings dominions,*” on this continent. The penalties and forfeitures, incurred under this Statute, are to be recovered *in the same manner,* with those mentioned in the foregoing Acts.

To this Statute, so naturally tending to disturb the tranquillity then universal throughout the Colonies, Parliament, in the same session, added another no less extraordinary.

EVER since the making the present peace, a standing army has been kept in these Colonies. From respect for the mother country, the innovation was not only tolerated, but the provincial Legislatures generally made provision for supplying the troops.

THE Assembly of the province of New-York, having passed an Act of this kind, but differing in some articles, from the directions of the Act of Parliament made in the *fifth* year of this reign, the House of Representatives in that Colony was prohibited by a Statute made in the session last mentioned, from making any bill, order, resolution or vote, except for adjourning or chusing a Speaker, until provision should be made by the said Assembly for furnishing the troops within that province, not only with all such necessaries as were required by the Statute *which they were charged with disobeying,* but also with

with those required by two other *subsequent* Statutes, which were declared to be in force until the twenty fourth day of March 1769.

THESE Statutes of the year 1767 revived the apprehensions and discontents, that had entirely subsided on the repeal of the *Stamp-Act*; and amidst the just fears and jealousies thereby occasioned, a Statute was made in the next year (1768) to establish Courts of *Admiralty* and *Vice Admiralty* on a new model, expressly for the end of more *effectually* recovering the *penalties* and *forfeitures* inflicted by Acts of Parliament, framed for the purpose of *raising a revenue* in America, &c.

THE immediate tendency of these statutes is, to subvert the right of having a share in legislation, by rendering Assemblies useless; the right of property, by taking the money of the Colonists without their consent; the right of trials by jury, by substituting in their place trials in Admiralty and Vice-Admiralty Courts, where single Judges preside, holding their Commissions during pleasure; and unduely to influence the Courts of common law, by rendering the Judges thereof totally dependant on the Crown for their salaries.

THESE statutes, not to mention many others exceedingly exceptionable, compared one with another, will be found, not only to form a regular system, in which every part has great force, but also a pertinacious adherence to that system, for subjugating these Colonies, that are not,
and

and from local circumstances, cannot be represented in the House of Commons, to the uncontrollable and unlimited power of Parliament, in violation of their undoubted rights and liberties, in contempt of their humble and repeated supplications.

THIS conduct must appear equally astonishing and unjustifiable, when it is considered how unprovoked it has been by any behaviour of these Colonies. From their first settlement, their bitterest enemies never fixed on any of them a charge of disloyalty to their Sovereign or disaffection to their Mother-Country. In the wars she has carried on, they have exerted themselves whenever required, in giving her assistance, and have rendered her services, which she has publicly acknowledged to be extremely important. Their fidelity, duty and usefulness during the last war, were frequently and affectionately confessed by his late Majesty and the present King.

THE reproaches of those, who are most unfriendly to the freedom of America, are principally levelled against the province of Massachusetts-Bay; but with what little reason, will appear by the following declarations of a person, the truth of whose evidence, in their favour, will not be questioned---Governor Bernard thus addresses the two Houses of Assembly ---in his speech on the 24th of April 1762,---
 “ The unanimity and dispatch, with which you have complied with the *requisitions of his Majesty*, require my particular acknowledgements.
 And

And it gives me additional pleasure to observe, that you have therein acted under no other influence than a due sense of your duty, both as members of a general empire, and as the body of a particular province."

In another speech on the 27th of May, in the same year, he says,—"Whatever shall be the event of the war, it must be no small satisfaction to us, that this province hath contributed its full share to the support of it. *Everything that hath been required of it hath been complied with*; and the execution of the powers committed to me, for raising the provincial troops hath been as full and complete as the grant of them. Never before were regiments so easily levied, so well composed, and so early in the field as they have been this year; the common people seemed to be animated with the spirit of the general Court, and to vie with them in their readiness to serve the King."

SUCH was the conduct of the People of the Massachusetts-Bay, during the last war. As to their behaviour before that period, it ought not to have been forgot in Great-Britain, that not only on every occasion they had constantly and chearfully complied with the frequent royal requisitions---but that chiefly by their vigorous efforts, Nova-Scotia was subdued in 1710, and Louisbourg in 1745.

FOREIGN quarrels being ended, and the domestic disturbances, that quickly succeeded on account of the stamp-act, being quieted by its repeal,

repeal, the Assembly of Massachusetts-Bay transmitted an humble address of thanks to the King and divers Noblemen, and soon after passed a bill for granting compensation to the sufferers in the disorder occasioned by that act.

THESE circumstances and the following extracts from Governor Bernard's Letters in 1768, to the Earl of Shelburne, Secretary of State, clearly shew, with what grateful tenderness they strove to bury in oblivion the unhappy occasion of the late discords, and with what respectful reluctance they endeavoured to escape other subjects of future controversy. "The House, (says the Governor) from the time of opening the session to this day, has shewn a disposition to *avoid* all dispute with me; every thing having passed with as much good humour as I could desire, except only their continuing to act in *addressing* the King, *remonstrating* to the Secretary of State, and *employing* a separate agent. It is the *importance of this innovation*, without any wilfulness of my own, which induces me to make this remonstrance at a time when I have a fair prospect of having, in *all other business*, nothing but good to say of the proceedings of the House."*

"THEY have acted in *all things*, even in their remonstrance *with temper and moderation*; they have *avoided* some subjects of dispute, and have laid a foundation for *removing* some causes of former altercation."†

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* January 21, 1768.

† January 30, 1768.

“ I shall make such a prudent and proper use
 “ of this Letter as, I hope, will perfectly restore
 “ the peace and tranquillity of this province, for
 “ which purpose *considerable steps have been made*
 “ *by the House of Representatives.*”*

THE vindication of the province of Massachusetts-Bay contained in these Letters will have greater force, if it be considered, that they were written several months after the fresh alarm given to the colonies by the statutes passed in the preceding year.

In this place it seems proper to take notice of the insinuation in one of these statutes, that the interference of Parliament was *necessary* to provide for “ defraying the charge of the *administration of justice*, the support of *civil government*, and defending the King’s dominions in *America.*”

As to the two first articles of expence, every colony had made such provision, as by their respective Assemblies, the best judges on such occasions, was thought expedient, and suitable to their several circumstances. Respecting the last, it is well known to all men the least acquainted with American affairs, that the colonies were established, and have generally defended themselves, without the least assistance from Great-Britain; and, that at the same time her *taxing* them by the statutes before mentioned, most of them were labouring under very heavy debts contracted in the last war. So far were they from sparing their money, when their Sovereign, constitutionally,

asked

* February 2, 1763,

asked their aids, that during the course of that war, Parliament repeatedly made them compensations for the expences of those strenuous efforts, which, consulting their zeal rather than their strength, they had chearfully incurred.

SEVERE as the Acts of *Parliament* before-mentioned are, yet the conduct of *Administration* has been equally injurious, and irritating to this devoted country.

UNDER pretence of governing them, so many new institutions, uniformly rigid and dangerous, have been introduced, as could only be expected from incensed masters, for collecting the tribute or rather the plunder of conquered provinces.

By an order of the King, the authority of the Commander in chief, and under him of the Brigadiers general, *in time of peace*, is rendered *supreme* in all the civil governments in *America*; and thus an uncontrollable military power is vested in officers not known to the constitution of these colonies.

A LARGE body of troops and a considerable armament of ships of war have been sent to assist in taking their money without their consent.

EXPENSIVE and oppressive offices have been multiplied, and the acts of corruption industriously practised to divide and destroy.

THE Judges of the Admiralty and Vice Admiralty Courts are impowered to receive their

salaries and fees from the effects to be condemned by themselves; the Commissioners of the customs are impowered to break open and enter houses without the authority of any civil magistrate founded on legal information.

JUDGES of Courts of Common Law have been made entirely dependent on the Crown for their commissions and salaries.

A COURT has been established at Rhode-Island, for the purpose of taking Colonists to England to be tried.

HUMBLE and reasonable petitions from the Representatives of the people have been frequently treated with contempt; and Assemblies have been repeatedly and arbitrarily dissolved.

FROM some few instances it will sufficiently appear, on what pretences of justice those dissolutions have been founded.

THE tranquillity of the colonies having been again disturbed, as has been mentioned, by the statutes of the year 1767, the Earl of Hillsborough, Secretary of State, in a letter to Governor Bernard, dated April 22, 1768, censures the "*presumption*" of the House of Representatives for "resolving upon a measure of so inflammatory a nature *as that of writing to the other colonies, on the subject of their intended representations against some late Acts of Parliament,*" then declares that, "his Majesty con-

" *siders*

“ considers this step as evidently tending to create
 “ unwarrantable combinations to excite an un-
 “ justifiable opposition to the constitutional au-
 “ thority of Parliament.”—and afterwards adds,
 “ —It is *the King’s pleasure*, that as soon as the
 “ General Court is again assembled, at the time
 “ prescribed by the Charter, you should require
 “ of the House of Representatives, in his Ma-
 “ jesty’s name, to *rescind* the resolution which
 “ gave birth to the circular letter from the
 “ Speaker, and to declare their disapprobation
 “ of, and dissent to that rash and hasty proceed-
 “ ing.”

“ If the new Assembly should refuse to com-
 “ ply with his Majesty’s reasonable expectation,
 “ it is the King’s pleasure, that you should im-
 “ mediately dissolve them.”

This letter being laid before the House, and the resolution not being rescinded according to the order, the Assembly was dissolved. A letter of a similar nature was sent to other Governors to procure resolutions approving the conduct of the Representatives of Massachusetts-Bay, to be *rescinded* also; and the Houses of Representatives in other colonies refusing to comply, Assemblies were dissolved.

THESE mandates spoke a language, to which the ears of English subjects had for several generations been strangers. The nature of assemblies implies a power and right of deliberation; but these commands, proscribing
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the exercise of judgment on the propriety of the requisitions made, left to the Assemblies only the election between dictated submission and the threatened punishment: A punishment too, founded on no other act, than such as is deemed innocent even in slaves--of agreeing in *petitions* for redress of grievances, that equally affected all.

THE hostile and unjustifiable invasion of the town of Boston soon followed these events in the same year; though that town, the province in which it is situated, and all the colonies, from abhorrence of a contest with their parent state, permitted the execution even of those statutes, against which they so unanimously were complaining, remonstrating and supplicating.

ADMINISTRATION, determined to subdue a spirit of freedom, which English Ministers should have *rejoiced* to cherish, entered into a monopolising combination with the East-India company, to send to this continent vast quantities of Tea, an article on which a duty was laid by a statute, that, in a particular manner, attacked the liberties of America, and which therefore the inhabitants of these Colonies had resolved not to import. The cargo sent to South-Carolina was stored, and not allowed to be sold. Those sent to Philadelphia and New-York were not permitted to be landed. That sent to Boston was destroyed, because Governor Hutchinson would not suffer it to be returned.

ON the intelligence of these transactions arriving in Great-Britain, the public spirited town last mentioned was singled out for destruction, and it was determined, the province it belongs to should partake of its fate. In the last session of parliament therefore were passed the acts for shutting up the port of Boston, indemnifying the murderers of the inhabitants of Massachusetts-Bay, and changing their chartered constitution of government. To enforce these acts, that province is again invaded by a fleet and army.

To mention these outrageous proceedings, is sufficient to explain them. For tho' it is pretended, that the province of Massachusetts-Bay has been particularly disrespectful to Great-Britain, yet in truth the behaviour of the people, in other colonies, has been an equal "opposition to the power assumed by parliament." No step however has been taken against any of the rest. This artful conduct conceals several designs. It is expected that the province of Massachusetts-Bay will be irritated into some violent action, that may displease the rest of the continent, or that may induce the people of Great-Britain to approve the meditated vengeance of an imprudent and exasperated ministry.

IF the unexampled pacifick temper of that province shall disappoint this part of the plan, it is hoped the other colonies will be so far intimidated as to desert their brethren, suffering

fering in a common cause, and that thus disunited all may be subdued.

To promote these designs, another measure has been pursued. In the session of parliament last mentioned, an act was passed, for changing the government of Quebec, by which act the Roman Catholic religion, instead of being tolerated, as stipulated by the treaty of peace, is established; and the people there deprived of the right to an assembly, trials by jury and the English laws in civil cases abolished, and instead thereof, the French laws established, in direct violation of his Majesty's promise by his royal proclamation, under the faith of which many English subjects settled in that province: and the limits of that province are extended so as to comprehend those vast regions, that lie adjoining to the northernly and westernly boundaries of these colonies.

THE authors of this arbitrary arrangement flatter themselves, that the inhabitants, deprived of liberty, and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such, as differ from them in modes of government and faith.

FROM the detail of facts herein before recited, as well as from authentic intelligence received, it is clear beyond a doubt, that a resolution is formed and now is carrying
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into execution, to extinguish the freedom of these colonies, by subjecting them to a despotic government.

AT this unhappy period, we have been authorized and directed to meet and consult together for the welfare of our common country. We accepted the important trust with diffidence, but have endeavoured to discharge it with integrity. Though the state of these colonies would certainly justify other measures than we have advised, yet weighty reasons determined us to prefer those which we have adopted. In the first place, it appeared to us a conduct becoming the character, these colonies have ever sustained, to perform, even in the midst of the unnatural distresses and imminent dangers that surround them, every act of loyalty; and therefore, we were induced to offer once more to his Majesty the petitions of his faithful and oppressed subjects in America. Secondly, regarding with the tender affection, which we knew to be so universal among our countrymen, the people of the kingdom, from which we derive our origin, we could not forbear to regulate our steps by an expectation of receiving full conviction, that the colonists are equally dear to them. Between these provinces and that body, subsists the social band, which we ardently wish *may never* be dissolved, and which *cannot* be dissolved, until their minds shall become *indisputably hostile*, or their *inattention* shall permit those who are thus hostile to persist in prosecuting with the powers of the

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realm the destructive measures already operating against the colonists; and in either case, shall reduce the latter to such a situation, that they shall be compelled to renounce every regard, but that of self-preservation. Notwithstanding the vehemence with which affairs have been impelled, they have not yet reached that fatal point. We do not incline to accelerate their motion, already alarmingly rapid; we have chosen a method of opposition, that does not preclude a hearty reconciliation with our fellow-citizens on the other side of the Atlantic. We deeply deplore the urgent necessity that presses us to an immediate interruption of commerce, that may prove injurious to them. We trust they will acquit us of any unkind intentions towards them, by reflecting, that we subject ourselves to similar inconveniencies; that we are driven by the hands of violence into unexperienced and unexpected public convulsions, and that we are contending for freedom, so often contended for by our ancestors.

THE people of England will soon have an opportunity of declaring their sentiments concerning our cause. In their piety, generosity, and good sense, we repose high confidence; and cannot, upon a review of past events, be persuaded, that *they*, the defenders of true religion, and the assertors of the rights of mankind, will take part against their affectionate protestant brethren in the colonies, in favour of *our open and their own secret enemies*;

mies, whose intrigues, for several years past, have been wholly exercised in sapping the foundations of civil and religious liberty.

ANOTHER reason, that engaged us to prefer the commercial mode of opposition, arose from an assurance, that this mode will prove efficacious, if it be persisted in with fidelity and virtue; and that your conduct will be influenced by these laudable principles, cannot be questioned. Your own salvation, and that of your posterity, now depends upon yourselves. You have already shewn that you entertain a proper sense of the blessings you are striving to retain. Against the temporary inconveniencies you may suffer from a stoppage of trade, you will weigh in the opposite balance, the endless miseries you and your descendants must endure from an established arbitrary power. You will not forget the honour of your country, that must from your behaviour take its title in the estimation of the world, to glory, or to shame; and you will, with the deepest attention, reflect, that if the peaceable mode of opposition recommended by us, be broken and rendered ineffectual, as your cruel and haughty ministerial enemies, from a contemptuous opinion of your firmness, insolently predict will be the case, you must inevitably be reduced to chuse, either a more dangerous contest, or a final, ruinous, and infamous submission.

MOTIVES thus cogent, arising from the emergency of your unhappy condition, must

excite your utmost diligence and zeal, to give all possible strength and energy to the pacific measures calculated for your relief: But we think ourselves bound in duty to observe to you, that the schemes agitated against these colonies have been so conducted, as to render it prudent, that you should extend your views to the most unhappy events, and be in all respects prepared for every contingency. Above all things we earnestly intreat you, with devotion of spirit, penitence of heart, and amendment of life, to humble yourselves, and implore the favour of Almighty God: and we fervently beseech his divine goodness, to take you into his gracious protection.



